

In the Drawings:

Attached please find 2 Annotated/Replacement Drawings Sheets, labeled Figures 2-3. The minor amendments to the drawings fully correspond to the specification. No structural changes have been made to the drawings, and no new matter has been entered.

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable.

The non-final Office Action dated March 9, 2006 indicated an objection under 37 C.F.R. 1.84(p)(4) regarding Figs. 1-3, and one objection to the specification with regard to Fig. 5.

Claims 45-66 stand rejected under Section 112(1), and claims 45, 48, 51-53, 55-56, 59, 62-64 and 66 stand rejected under a Section 112(2).

Claims 45-66 stand further rejected under 35 U.S.C. §103(a) over Bissonette *et al.* (US 6,343,279) in view of Fleischl (US 6,038,552).

Finally, the Office Action dated March 9, 2006 indicated that the prior standing 35 U.S.C. rejections of claims 45-66 were withdrawn.

Regarding the objections to the drawings, Applicant respectfully traverses the objections. 37 CFG 1.84(p)(4) is directed to parts appearing in more than one view of a drawing. Applicant submits that each reference character is used to designate only one part of the drawing as required by 37 CFR 1.84(p)(4). Moreover, the Office Action appears to imply that the Specification is required to contain language identical to the drawings. Applicant submits that no such requirement exists and that the discussion in the Specification corresponds to the drawings. Notwithstanding and in an effort to facilitate prosecution, Applicant has amended the drawings and Specifications to more clearly show the correspondence. Accordingly, Applicant requests that the objections be removed.

Regarding the objection the Specification, Applicant has amended the discussion in the Specification related to elements 52 and 58. The additions merely clarify the relationship between the numbered elements and the relevant discussion and do not represent new matter. Accordingly, Applicant requests that the objections be removed.

Regarding the Section 112(1) and Section 112(2) rejections, Applicant respectfully traverses the rejections. Applicant submits that the subject matter of claims 45-66 is supported in the Specification. More specifically, as to the limitation directed to "consideration-bearing bank account," support is found throughout the Specification in discussions of various bank accounts.

For example, bank accounts that provide consideration to the account holder, such as savings and checking accounts, are discussed at Page 4, lines 2-5.

As to the limitation directed to “providing a time window” support can be found, for example, in FIG. 3 and the relevant discussion in the Specification at Page 7, line 18 et seq. In one preferred embodiment, a period of 15 days is provided as an example time window.

As to the limitation directed to “a communication protocol,” support can be found, for example, in FIG. 3 and the relevant discussion in the Specification at Page 6, line 28 to Page 7, line 10. In one example, the communication is provided using an internet site.

In view of the aforementioned support in the Specification, Applicant submits that each of the limitations of claims 45-66 is supported by the application, and accordingly, that the Section 112(1) and Section 112(2) rejections are improper. Applicant requests that the rejections be withdrawn.

Regarding the 35 U.S.C. §103(a) rejections, Applicant respectfully traverses each of the rejections as the Office Action fails to show corresponding teachings for each of the claimed limitations. With respect to independent claims 45 and 56, for example, the Office Action fails to show correspondence to several of the claimed limitations. More specifically, Applicant submits that the Office Action has failed to show how the Bissonette reference teaches monitoring a transaction balance of the user’s consideration-bearing banking account. The Bissonette reference “is directed to a system designed to provide for the control and accounting for credit card transactions.” (Col. 2, lines 36-38). Contrary to the assertion in the Office Action, the cited passages of the Bissonette reference do not show any teaching directed to a consideration-bearing bank account.

Further, the Office Action fails to provide correspondence to the claimed limitation directed to a time window for providing funds. Applicant submits that the cited portions of the Fleischl reference (Col. 4, lines 1-15) do not teach the claimed time window. Applicant submits that the only teaching in the cited portion related to time is a (one month) billing cycle. The Office Action appears to erroneously equate a billing cycle with the claimed time window; however, the claimed limitation is directed to a time window at the end of a billing cycle, and thus, the claimed time window is not synonymous with a billing cycle.

Moreover, the Office Action fails to provide correspondence to the claimed limitations directed to automatically transferring funds as a function of the communication protocol. The cited passage of the Fleischl reference (Col. 4, lines 40-58) does not teach transferring funds as a function of a communications protocol with the user. Instead, the cited passage appears to teach authorization of a transaction based upon credit limits and cash balances. Thus, Applicant submits that the cited passage does not teach use of a communications protocol with the user. Moreover, the cited passage does not appear teach a relationship between a communications protocol and a time window as required by the claimed limitations.

In view of the above discussion, the Office Action has failed to provide correspondence for each of the claimed limitations of independent claims 45 and 56, from which claims 46-55 and 56-66 depend, respectively. Without support for each and every claimed limitation the rejections cannot be maintained. Accordingly, application requests that the rejections to claims 45-66 be withdrawn.

In view of the above discussion, Applicant believes that each of the rejections is overcome, and that the application is in condition for allowance. A favorable response is requested. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

CRAWFORD MAUNU PLLC
1270 Northland Drive, Suite 390
St. Paul, MN 55120
651/686-6633

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By: 

Robert J. Crawford
Reg. No. 32,122

FIG. 3

STATEMENT PROCESS

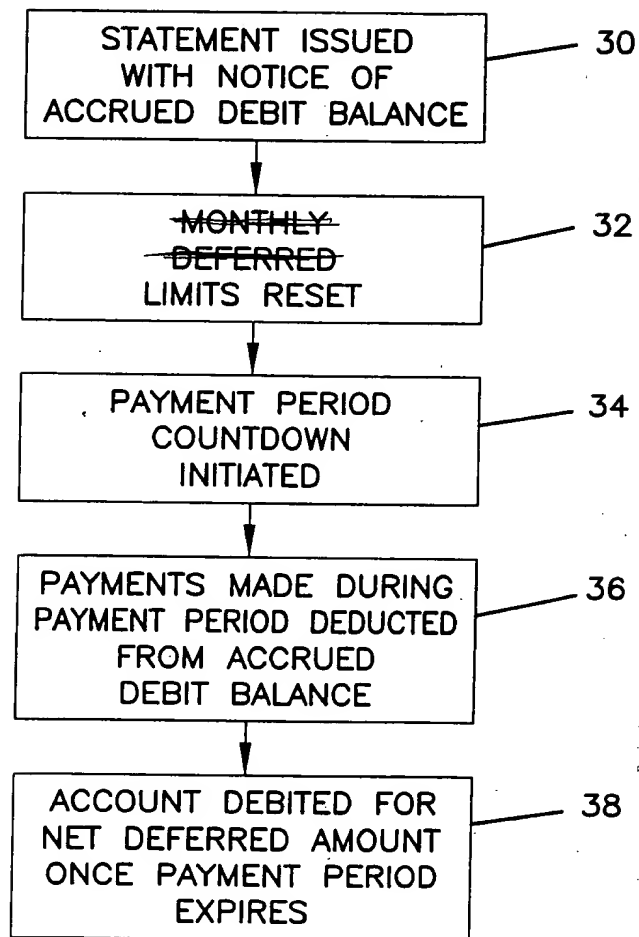


FIG. 2

SETTLEMENT PROCESS

